

Exhibit 4

Deposition of John Searight

Page 1

1 IN THE UNITED STATES DISTRICT COURT
2 FOR THE MIDDLE DISTRICT OF ALABAMA
3 NORTHERN DIVISION

4 J.S., (a minor child by
5 and through his father and
6 next friend, JOHN SEAWRIGHT),
7 Plaintiff,

8 Vs. CIVIL ACTION NO.
9 02:05-CV-928-WKW
10 OFFICER CURT CAMPBELL, in
11 his individual capacity,

12 Defendant.

13 *****

14 DEPOSITION OF JOHN A. SEARIGHT, SR., taken
15 pursuant to stipulation and agreement before Pamela
16 A. Wilbanks, Registered Professional Reporter and
17 Commissioner for the State of Alabama at Large, in
18 the Richardson Legal Center, 133 Hayneville Plaza,
19 Hayneville, Alabama, on Friday, March 3, 2006,
20 commencing at approximately 3:00 p.m.

21 *****
22
23

Page 3

1 STIPULATION

2 It is hereby stipulated and agreed by and
3 between counsel representing the parties that the
4 deposition of JOHN A. SEARIGHT, SR. is taken pursuant
5 to the Federal Rules of Civil Procedure and that said
6 deposition may be taken before Pamela A. Wilbanks,
7 Registered Professional Reporter and Commissioner for
8 the State of Alabama at Large, without the formality
9 of a commission, that objections to questions other
10 than objections as to the form of the question need
11 not be made at this time but may be reserved for a
12 ruling at such time as the said deposition may be
13 offered in evidence or used for any other purpose by
14 either party provided for by the Statute.

15 It is further stipulated and agreed by and
16 between counsel representing the parties in this case
17 that the filing of said deposition is hereby waived
18 and may be introduced at the trial of this case or
19 used in any other manner by either party hereto
20 provided for by the Statute regardless of the waiving
21 of the filing of the same.

22 It is further stipulated and agreed by and
23 between the parties hereto and the witness that the

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1 APPEARANCES

2 FOR THE PLAINTIFF:
3 Mr. Jay Lewis
4 LAW OFFICES OF JAY LEWIS & ASSOCIATES
5 Attorneys at Law
6 847 South McDonough Street
7 Suite 100
8 Montgomery, Alabama

9 FOR THE DEFENDANT:

10 Mr. S. Mark Dukes
11 NIX, HOLTSFORD, GILLILAND, HIGGINS & HITSON
12 Attorneys at Law
13 4001 Carmichael Road - Suite 300
14 Montgomery, Alabama 36106

15 ALSO PRESENT:

16 Mrs. Searight
17 Officer Curt Campbell

18 *****

19 EXAMINATION INDEX

20 BY MR. DUKES 4

21 *****
22
23

Page 4

1 signature of the witness to this deposition is hereby
2 waived.

3 *****

4 JOHN A. SEARIGHT, SR.

5 The witness, after having first been duly
6 sworn to speak the truth, the whole truth and nothing
7 but the truth testified as follows:

8 EXAMINATION

9 BY MR. DUKES:

10 Q. Give me your full name, please, sir.

11 A. John A. Searight.

12 Q. And is that "A" for Arthur?

13 A. Yes. That's the way we go.

14 Q. Do you go by John A. Searight, Sr. or just

15 John A. Searight?

16 A. Senior.

17 Q. Mr. Searight, you're the father of John A
18 Searight, Jr.; is that correct?

19 A. Yes, sir.

20 Q. And you were here throughout his deposition
21 when I took it earlier today; is that correct?
22
23

Page 5	Page 7
<p>1 Q. And your wife was here throughout his</p> <p>2 deposition too; is that also correct?</p> <p>3 A. Yes, sir.</p> <p>4 Q. Mr. Searight, I'm going to tell you briefly</p> <p>5 some of the same stuff I told your son that</p> <p>6 everybody has been referring to as Candy Man.</p> <p>7 This is my only chance I get to talk to you</p> <p>8 unless we go to trial. I mean, you can talk</p> <p>9 to your lawyer anytime you want to, pick up</p> <p>10 the phone and talk to him, and he can do the</p> <p>11 same. But this is the only time I get to talk</p> <p>12 with you so I want to make sure I communicate</p> <p>13 as effectively as possible.</p> <p>14 MR. LEWIS: Let me interject there</p> <p>15 because you talked about his</p> <p>16 lawyer. I'm not altogether sure</p> <p>17 of the legal posture of this.</p> <p>18 Technically I only represent his</p> <p>19 son by and through him.</p> <p>20 MR. DUKES: Okay.</p> <p>21 MR. LEWIS: I'm here to defend the</p> <p>22 deposition. I'm a little unclear</p> <p>23 as to whether or not I have any</p>	<p>1 Q. Because as you can understand, when this gets</p> <p>2 written out, sometimes that gets confusing and</p> <p>3 we may not get the answer down that you</p> <p>4 intended to give. And I want to make sure</p> <p>5 that we have the answer that you intended to</p> <p>6 give. Fair enough?</p> <p>7 A. Yes, sir.</p> <p>8 Q. Mr. Searight, have you ever used anyother</p> <p>9 names?</p> <p>10 A. Jay-Jay. That's my nickname.</p> <p>11 Q. Do you have any other nicknames?</p> <p>12 A. No, sir.</p> <p>13 Q. Where were you born?</p> <p>14 A. Fort Deposit.</p> <p>15 Q. Were you raised there?</p> <p>16 A. Yes, sir.</p> <p>17 Q. Have you ever lived anywhere else other than</p> <p>18 Fort Deposit?</p> <p>19 A. No, sir.</p> <p>20 Q. What's your date of birth?</p> <p>21 A. 7/6/65.</p> <p>22 Q. What's your social security number, please,</p> <p>23 sir?</p>
Page 6	Page 8
<p>1 right to claim any sort of</p> <p>2 privilege with regard to</p> <p>3 Mr. Searight, and my inclination</p> <p>4 is not to claim that privilege.</p> <p>5 Q. That said, you can talk to your son's lawyer</p> <p>6 anytime; is that right?</p> <p>7 A. Yes, sir.</p> <p>8 Q. If I ask you a question and you don't</p> <p>9 understand it and you don't hear me and you</p> <p>10 need some additional explanation, please let</p> <p>11 me know. Okay?</p> <p>12 A. Yes, sir.</p> <p>13 Q. I will make sure that we communicate as well</p> <p>14 as we can. That way, the answer that you give</p> <p>15 will be to the question that I've asked. Fair</p> <p>16 enough?</p> <p>17 A. Yes, sir.</p> <p>18 Q. If I ask you a question that calls for a yes</p> <p>19 or no answer, would you answer yes or no</p> <p>20 rather than nodding your head or shaking your</p> <p>21 head or wagging a finger or tapping the table</p> <p>22 or going uh-huh or going huh-uh?</p> <p>23 A. Yes, sir.</p>	<p>1 A. 422-11-5441.</p> <p>2 Q. I was up with the 422. 11-55 what?</p> <p>3 A. 5441.</p> <p>4 Q. 5441.</p> <p>5 Where do you live, Mr. Searight?</p> <p>6 A. 311 Pollard Street.</p> <p>7 Q. How long have you lived at that address?</p> <p>8 A. About three-and-a-half years.</p> <p>9 Q. Where did you live before that?</p> <p>10 A. Down on Golson Drive.</p> <p>11 Q. Golson Drive?</p> <p>12 A. Yes, sir. Down there in Fort Deposit too.</p> <p>13 Q. Is that G-H-O-L-S-E-N?</p> <p>14 A. Well, I cannot spell Golson Drive.</p> <p>15 Q. How long did you live there on Golson Drive?</p> <p>16 A. About two-and-a-half years.</p> <p>17 Q. Where did you live before that?</p> <p>18 A. The housing project we call Vietnam. Where</p> <p>19 Curt Campbell live at now.</p> <p>20 Q. How long did you live there?</p> <p>21 A. About three years.</p> <p>22 Q. Who lives with you at 311 Pollard Street?</p> <p>23 A. My wife, my two daughters and my son.</p>

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1 Q. Both your daughters live with you there?
 2 A. No, sir. My oldest daughter stay with my
 3 mother, Daisy Mae Searight.
 4 Q. Are either of your parents still living?
 5 A. My mother living.
 6 Q. What's her name?
 7 A. Daisy Mae Searight.
 8 Q. If I had been listening better, I would have
 9 realized that, wouldn't I?
 10 What was your father's name?
 11 A. Ward Junior Hunter.
 12 Q. Ward what?
 13 A. Ward Hunter, Jr.
 14 Q. Ward Holly, Jr.?
 15 A. Hunter, H-U-N-T-E-R. Hunter.
 16 Q. When did he pass?
 17 A. About maybe five years ago.
 18 Q. What kind of work did he do?
 19 A. Pulpwood all our life. Paper wood.
 20 Q. Does your mother still work anywhere or is she
 21 retired?
 22 A. She never worked.
 23 Q. Were you raised by your natural parents?

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1 A. Yes, sir.
 2 Q. Did you go to high school, Mr. Searight?
 3 A. Yes, sir.
 4 Q. Did you graduate?
 5 A. No, sir.
 6 Q. What high school did you go to?
 7 A. Lowndes County High.
 8 Q. What's the highest grade you got to?
 9 A. To the ninth.
 10 Q. Have you gone back and gotten a GED or
 11 anything like that?
 12 A. No, sir.
 13 Q. Do you go to church anywhere once a month or
 14 more often?
 15 A. Yes. I go every Sunday.
 16 Q. Where is that?
 17 A. Bethlehem -- We got two churches we go to. We
 18 go at night to New Zion.
 19 THE WITNESS: Ain't it, Lisa? What
 20 the name of it?
 21 MRS. SEARIGHT: Freedom Life.
 22 A. Freedom Life. I go there with my wife now.
 23 Q. You go to Bethlehem and Freedom Life?

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1 A. Yes, sir.
 2 Q. What's the full name of the Bethlehem church?
 3 Is it like Bethlehem Missionary Baptist or
 4 Bethlehem something else?
 5 A. Baptist --
 6 MRS. SEARIGHT: Christian.
 7 A. Christian.
 8 Q. Where is that church located?
 9 A. At Fort Deposit.
 10 Q. Is Freedom Life in Fort Deposit?
 11 A. Pollard Street.
 12 Q. Pardon me?
 13 A. Yes, sir.
 14 Q. It's on Pollard Street.
 15 So you don't have very far to go to get to
 16 that one, do you?
 17 A. No, sir.
 18 Q. Mr. Searight, are you a member of any type of
 19 organization, whether it's a fraternal
 20 organization or a professional organization,
 21 benevolent, union, social club, hunt clubs,
 22 card clubs, pool clubs, masons or anything
 23 like that?

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1 A. No, sir.
 2 Q. Have you ever been a member of any type of
 3 organization like that?
 4 A. No, sir.
 5 Q. What is your wife's name?
 6 A. Alecia Crenshaw. She married me and became
 7 Alecia Searight -- Michelle Searight.
 8 Q. And how long have y'all been married?
 9 A. Probably a year and a few months.
 10 Q. Did y'all live together before you got
 11 married?
 12 A. Yes, sir.
 13 Q. How long have y'all lived together?
 14 A. Seventeen years.
 15 Q. Have you been married before this marriage?
 16 A. No, sir.
 17 Q. Where did your marriage take place?
 18 A. At Bethlehem church.
 19 Q. And that's in --
 20 A. Fort Deposit.
 21 Q. Lowndes County?
 22 A. Yes, sir.
 23 Q. And you and your wife have three children

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1 together?
2 A. Yes, sir.
3 Q. And that would be John, Jr. and your two
4 daughters?
5 A. Yes, sir.
6 Q. Julisa and Jessica?
7 A. Yes, sir.
8 Q. How do you spell Julisa's name?
9 A. I cannot spell it, but my wife can.
10 Q. Mr. Searight, have you ever been arrested for
11 anything?
12 A. Yes, sir.
13 Q. What was that?
14 A. Distribution of cocaine with -- selling it
15 anyway -- and tickets.
16 Q. You were arrested for selling cocaine?
17 A. Yes, sir.
18 Q. Where did that take place?
19 A. In '92.
20 Q. What county was that in?
21 A. Lowndes County.
22 Q. What happened with that?
23 A. He give me a year and a day in the State

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1 penitentiary.
2 Q. Any other felony arrests that you have?
3 A. No, sir.
4 Q. The others are traffic arrests?
5 A. One or two times, yes, sir.
6 Q. When did you get through serving your time in
7 the penitentiary for that distribution of
8 cocaine?
9 A. In '93, something like that.
10 Q. Have you ever served in the military?
11 A. No, sir.
12 Q. Where do you work, Mr. Searight?
13 A. I do lawn service for myself.
14 Q. Do you have any employees?
15 A. No, sir. I do it for myself.
16 Q. How long have you been in that line of
17 business?
18 A. Maybe -- Probably two years.
19 Q. What's the name of your lawn service?
20 A. It don't have a name to it. I just -- If
21 somebody want me to cut their yard, I do it.
22 Q. Where did you work before you started your
23 lawn service business?

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1 A. Let me see. The Airport System. We made
2 jacks (phonetic) and stuff down there at Fort
3 Deposit. Airport. Let me see. Airport
4 Systems, that was the name of it.
5 Q. How long did you work there?
6 A. Maybe about a year.
7 Q. What did you do there?
8 A. I paint the jacks that we made.
9 Q. Where did you work before that?
10 A. I didn't work nowhere.
11 Q. How long was it between when you worked there
12 and the last time you had a job?
13 A. Never had none. I just cut a yard.
14 Q. What I'm trying to figure out is how you
15 supported yourself and your family during that
16 period of time.
17 A. Well, I got disabled and I start ...
18 Q. What kind of disability do you have?
19 A. SSI.
20 Q. What's that for?
21 A. I messed my back up and my legs up in a car
22 wreck. Then in school, special ed, slow
23 learner.

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1 Q. You were in special ed?
2 A. Yes, sir.
3 Q. You were in special ed in school?
4 A. Yes, sir.
5 Q. Do you get a check because of that too?
6 A. That basically how I got on it the first time.
7 Q. How long have you been drawing a disability
8 check?
9 A. About ten years.
10 Q. When did you first get on it because of your
11 special ed?
12 A. Maybe in '96 or something like that.
13 Q. Let me just ask you this: You're not in this
14 lawsuit making any claim for any kind of money
15 or expenses or anything that you've personally
16 had as a result of this, are you?
17 A. No, sir.
18 Q. The only thing that you're claiming is any
19 expenses or injuries that your son had; is
20 that correct?
21 A. Yes, sir.
22 Q. Going back to the date of this incident, what
23 was the first time that you realized that

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1 there was something going on on this day with
 2 Candy Man and Officer Campbell?
 3 A. Me and my wife, we was in the house watching
 4 television. And my brother came to the house
 5 and told me, Curt Campbell got your son bent
 6 down by the neck, and he told Curt Campbell to
 7 turn loose or he going to kill him. So me and
 8 my wife ran down there.
 9 Q. What brother is this?
 10 A. Tomeka, the one they call Pap.
 11 Q. Tomeka?
 12 A. Searight.
 13 Q. So he came up to the house and told you about
 14 this?
 15 A. Yes, sir.
 16 Q. Did you go straight down to where this was
 17 going on?
 18 A. Yes, sir.
 19 Q. And your wife went with you?
 20 A. Yes, sir.
 21 Q. How long did it take you to get from your
 22 house to where this was going on?
 23 A. From my best information, it would be like

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1 five to six minutes.
 2 Q. How far distance-wise is it from your house to
 3 where this was going on?
 4 A. About 150 yards. Maybe a little further.
 5 Q. What did you see when you got there?
 6 A. My boy with his knees on the ground, slob
 7 coming out his mouth, crying and just sweating
 8 and shirt messed up. And Curt got his hand on
 9 his back like that right there. When I got
 10 there -- my wife was with me -- I told her to
 11 step back. And I said, Officer Campbell, I
 12 said, turn my boy loose; let him go. And when
 13 I told him to turn him loose and let him go,
 14 he wouldn't turn a loose and let him go.
 15 There was a lot of neighbors talking and
 16 stuff. I told my wife, just stay back right
 17 there and I'll talk to Curt myself, because I
 18 knew Curt. And he wouldn't let him go. And
 19 my boy, snot running out of his nose and big
 20 (unintelligible) coming out, and I could tell
 21 he had been hurt bad, because I looked at the
 22 whelp and stuff from the finger, the way he
 23 had him around the neck. I see'd all this.

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1 Q. What did you see on his neck?
 2 A. Where he had pressed down around his neck,
 3 because it was swelling.
 4 Q. Tell me and describe as best you can what you
 5 saw on Candy Man's neck when you got there.
 6 A. Whelps.
 7 Q. Welts?
 8 A. Whelps. Like a mark or hand print or like a
 9 mark like the arm or something. There was a
 10 big whelp right in there.
 11 Q. Well, did you see a hand print or an arm
 12 print?
 13 A. Best I see, I seen a big whelp around the neck
 14 where it was swelling at.
 15 Q. So you saw something on his neck, but you
 16 don't know if it was a hand print or an arm
 17 print?
 18 A. Well, I see -- Well, to me, it's a arm print
 19 because it was big and wide right there. It
 20 wasn't like fingerprints, because I know
 21 because somebody had choked me before. It was
 22 something like he had an arm right in there.
 23 Q. What did this whelp look like on his neck?

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1 A. The way he was sweating, he had looked like it
 2 was swelling. All the sweat and snot, he
 3 looked like he was swelling. I wanted him to
 4 take off the handcuffs so I can try to get him
 5 somewhere.
 6 Q. How far were you away from Candy Man when you
 7 saw this swelling on his neck?
 8 A. I was right up to him and Curt Campbell, from
 9 about this far apart looking down at him
 10 talking to Curt to turn him a loose and holding
 11 his head up and looking him in the face.
 12 Q. You're holding your hands saying this far
 13 apart.
 14 A. About this far apart.
 15 Q. She needs to know a distance to write that
 16 down.
 17 A. Well, maybe 2 foot.
 18 Q. What happened after you got there and saw that
 19 swelling on his neck and told Curt Campbell to
 20 let him go?
 21 A. Curt Campbell -- All the motion going on, and
 22 I asked him what was going on, and he wouldn't
 23 let him go right then. After everything --

5 (Pages 17 to 20)

Page 21

1 About five or six minutes, then he finally
2 turn him aloose.
3 Q. Did you have any talk with Officer Campbell in
4 this five or six minutes before he turned him
5 loose?
6 A. I asked him -- I said, why -- I asked him --
7 Travis right there told me right there in
8 front of Curt that Curt said that he going to
9 put your son to sleep. And I asked Curt -- I
10 said -- He said, I said that because I was
11 holding him like that, the way you supposed to
12 do; I told him I'd put him to sleep, and I
13 just pressed him a little bit. And he told me
14 he was going to put him to sleep. That's what
15 Curt told me, me and Travis Searight right
16 there.
17 Q. So Officer Campbell told you he was going to
18 put Candy Man to sleep?
19 A. He told me he told Candy Man he was going to
20 put him to sleep, because everybody else
21 around the table telling me -- I mean, around
22 the thing telling me that -- They told Curt
23 not to hurt Candy Man. Curt, you choking him;

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1 you hurting him. Candy Man was about to pass
2 out. That's what everybody down there told
3 me.
4 Q. I'm sorry. Said he was going to what?
5 A. The witnesses told me that Candy Man -- I
6 wasn't there -- said Curt had him and was
7 choking him and said it looked like he was
8 fading away, like he going to kill him.
9 Q. What witnesses told you it looked like that he
10 was going to fade away and that he was being
11 killed?
12 A. Travis, Laura, Melissa, my brother Pap,
13 Jeanette, the one they call Dually. Everybody
14 around there told me that. Everybody at the
15 scene told me that, and they told me that
16 right there in their face.
17 Q. Did any of these people that said it looked
18 like Officer Campbell was going to kill Candy
19 Man do anything to intervene?
20 A. I didn't understand your question, sir.
21 Q. Did any of these people that told you that
22 they thought Officer Campbell was going to
23 kill Candy Man by choking him, did you see

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1 them do anything to try to stop him or did
2 they tell that you they had done anything to
3 try to stop Officer Campbell from doing
4 anything to Candy Man?
5 A. No, sir. But they told me -- they told
6 Officer Campbell, said, Curt, you better turn
7 him aloose because you're going to kill him.
8 Q. He didn't kill him, did he?
9 A. Well, if he hadn't turned him aloose he
10 probably would.
11 Q. How do you know that?
12 A. I wouldn't know, but --
13 Q. He turned loose of him before you got there,
14 didn't he?
15 MR. LEWIS: Object to the form. Go
16 ahead.
17 A. Yes, sir. Because I didn't see that part.
18 Q. In fact, you didn't see any of this bit when
19 Officer Campbell was having to get control of
20 Candy Man, did you?
21 MR. LEWIS: Object to the form.
22 A. Only I see Officer Campbell had him down and
23 he was sweating. And when I got closer to

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1 him, I see his neck swelling up. That's all I
2 see.
3 Q. So you saw Candy Man was sweating when you got
4 there?
5 A. His neck was swelling up and he had snot
6 running out his nose. He was crying.
7 Q. Did you say something about him being sweaty
8 or did I misunderstand you?
9 A. His clothes were with slob and sweat, you
10 know, from the crying. It mess up your
11 clothes. And his shirt was messed up. He had
12 on a T-shirt.
13 Q. You don't know or -- Let me rephrase that.
14 You didn't see him fighting with Officer
15 Campbell, did you?
16 A. No, sir.
17 Q. You don't know what he was doing before
18 Officer Campbell got there, do you?
19 A. No, sir.
20 Q. Did he tell you that he had been running
21 around in the project before Officer Campbell
22 got there?
23 A. No, sir.

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1 Q. Let me backtrack a little bit here,
 2 Mr. Searight. You said you got down there and
 3 immediately saw the swelling on the neck, and
 4 you told Officer Campbell to turn Candy Man
 5 loose; is that right?
 6 A. Yes, sir.
 7 Q. Now, what happened right after you told
 8 Officer Campbell to turn him loose?
 9 A. He didn't turn him loose right then.
 10 Q. Did Officer Campbell say anything to you at
 11 that time?
 12 A. Well, he told everybody else to get back. And
 13 my wife was talking, and I told her to stay --
 14 you stay right there. I said, I can handle
 15 this myself; I know Curt. Basically he was
 16 saying something, but he didn't turn him
 17 a loose. He sat there a few more minutes, and
 18 then basically in a little bit he turned him
 19 loose. My wife was taking him back to the
 20 house, my son. I asked Curt what went on, and
 21 I said, what charge made you did that? He
 22 said, well, when he get a report, he'll send
 23 me one. Said when he write up something,

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1 he'll send me one.
 2 Q. During this time, during this five or six
 3 minutes when you were standing there after you
 4 told Officer Campbell to turn Candy Man loose
 5 and before he turned him loose, did you hit
 6 your son or pop him in the back of the head or
 7 in the back to get him to calm down?
 8 A. No, sir. I was rubbing my son.
 9 Q. Pardon me?
 10 A. I was rubbing my own son.
 11 Q. You were --
 12 A. I was rubbing him. He was crying already. I
 13 didn't hit him.
 14 Q. Have you ever spanked him?
 15 A. On occasion.
 16 Q. What else was said between you and Officer
 17 Campbell during this period of time before he
 18 turned Candy Man loose?
 19 A. He basically was telling me he was being
 20 disrespectful to him, throwing up a bird. And
 21 I told him I deal with my son when I get him
 22 to the house.
 23 Q. How were you going to deal with him when you

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1 got to the house?
 2 A. I was going home and talk to him. But on my
 3 way going to the house, his neck was hurting
 4 and he was gasping for his wind. He couldn't
 5 hardly breathe.
 6 Q. Do you know why he was gasping?
 7 A. Because his neck was swelling.
 8 Q. While all this was going on, did you hear your
 9 son cussing at Officer Campbell?
 10 A. No, sir. You had many people down there
 11 talking. I didn't hear nothing like that.
 12 Q. You didn't -- Are you saying that your son
 13 didn't cuss at Officer Campbell or are you
 14 just saying you didn't hear him cuss at
 15 Officer Campbell?
 16 A. I'm saying I didn't hear nobody cuss Officer
 17 Campbell.
 18 Q. Is it possible he did that while all this was
 19 going on and you didn't hear it?
 20 MR. LEWIS: Object to the form.
 21 A. I didn't hear nobody cuss Officer Campbell.
 22 Q. Did you hear him threaten to kill Officer
 23 Campbell?

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1 A. I didn't hear nobody cuss Officer Campbell.
 2 Q. Pardon me?
 3 A. I didn't hear nobody cuss Officer Campbell.
 4 Q. Did you hear Candy Man say, I'm going to kill
 5 you?
 6 A. No, sir. I didn't hear nobody tell Officer
 7 Campbell they going to kill him.
 8 Q. Did at any point in time on that evening you
 9 hear Candy Man cussing at Officer Campbell?
 10 A. No, sir. I didn't hear nobody cuss Officer
 11 Campbell.
 12 Q. Did at any time that evening you hear Candy
 13 Man say, I'm going to kill you, or threaten to
 14 kill him?
 15 A. No, sir. I didn't hear nobody say they are
 16 going to kill Officer Campbell.
 17 Q. Did anybody tell you that Candy Man did not
 18 shoot a bird at Officer Campbell?
 19 A. Well, didn't nobody tell me -- he told me he
 20 was shooting a bird at his auntie. His auntie
 21 is my sister, and he always do that.
 22 Q. You let him get away with shooting birds at
 23 your sister?

7 (Pages 25 to 28)

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1 A. I'm not going to choke the neck for all that.
 2 Q. That's not a good thing to do, is it?
 3 MR. LEWIS: Object to the form.
 4 A. Well ...
 5 Q. Which sister was this that he told you that he
 6 was shooting the bird at?
 7 A. Willie Nell.
 8 Q. He didn't deny shooting a bird that evening,
 9 did he?
 10 A. No, sir.
 11 Q. How did you and Candy Man get back to your
 12 house?
 13 A. Me and my wife hold him around the waist
 14 because he couldn't catch no air and took him
 15 home and laid him down. Then he got a little
 16 worse, and we called the rescue squad.
 17 Q. You said you had him caught around the waist.
 18 What do you mean by that?
 19 A. She had him on one side and I had him on one
 20 side.
 21 Q. He was walking, wasn't you?
 22 A. Yeah. He was walking slow. He couldn't catch
 23 air.

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1 Q. What happened when you got home?
 2 A. We laid him down.
 3 Q. Why did you lay him down?
 4 A. Laid him down in there and put a pillow up
 5 under his head and cleared up his face where
 6 all the slob and everything that -- after
 7 being choked and by he trying to catch air
 8 back again and clean him up a little bit.
 9 Q. Now, you keep saying all this slob and
 10 everything else was from getting choked, but
 11 you don't know that for a fact, do you?
 12 A. Well, I know -- the only thing I know, I see
 13 snot running and slob coming out his mouth.
 14 Q. And when somebody is fighting and crying and
 15 carrying on and hollering and mad, they get
 16 slobber and sweat on their face too, don't
 17 they?
 18 MR. LEWIS: Object to the form.
 19 A. Well, I experienced it my own self because I
 20 have been choked before by a bigger person. I
 21 slobbered, and it hurt me real hard.
 22 Q. But you didn't actually see that happen to
 23 know that that was where it all came from, did

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1 you?
 2 A. Well, no, sir.
 3 Q. When you got back to the house, you and your
 4 wife and Candy Man, whose decision was it to
 5 call for an ambulance?
 6 A. It was both of us decision because we see our
 7 son laying down there on the couch trying to
 8 catch a breath, and his neck was swelling. I
 9 got some alcohol and kind of rubbed his neck
 10 because for him to feel better.
 11 MR. LEWIS: He just asked you whose
 12 idea it was. All right?
 13 THE WITNESS: Yes, sir.
 14 Q. What ambulance did you call?
 15 A. Hayneville.
 16 Q. Hayneville?
 17 A. I reckon. I didn't call.
 18 Q. Who called?
 19 A. My wife had somebody call.
 20 Q. Have you got a phone in your house?
 21 A. No, sir.
 22 Q. Got a cell phone?
 23 A. No, sir.

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1 Q. Does your wife have a cell phone?
 2 A. No, sir.
 3 Q. Any of your daughters have a cell phone?
 4 A. No, sir.
 5 Q. You just know your wife told somebody to call
 6 the ambulance for you?
 7 A. Yes, sir.
 8 Q. Do you know what ambulance company it was that
 9 showed up?
 10 A. Hayneville, I reckon.
 11 Q. How long was it before they got there?
 12 A. I expect 25 to 30 minutes.
 13 Q. Who talked to the ambulance people when they
 14 got there?
 15 A. My wife.
 16 Q. What did she tell them?
 17 A. I don't know, sir, because I was in the house
 18 with my son.
 19 Q. Did Candy Man talk with the ambulance people
 20 to your knowledge?
 21 A. Not to my knowledge. My wife was with them.
 22 Q. Pardon me?
 23 A. My wife was with them.

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1 Q. How did Candy Man get out of the house?
 2 A. They got him out.
 3 Q. How did they get him out?
 4 A. They pulled the little bed thing up to the
 5 door and picked him up and laid him in there.
 6 Q. What all did they do with him when they put
 7 him on that little bed thing?
 8 A. They put a brace around his neck.
 9 Q. Anything else?
 10 A. They put him in the rescue car.
 11 Q. Where did they take him?
 12 A. To the hospital, Stabler.
 13 Q. Stabler Hospital in Greenville?
 14 A. Yes, sir.
 15 Q. Did you go to the hospital too?
 16 A. She rode with him and I came later.
 17 Q. How much later was it that you got there?
 18 A. Maybe three minutes after they got there.
 19 Q. Do you know what procedures or examination or
 20 anything they did with Candy Man while he was
 21 there at the hospital?
 22 A. They give him a X-ray and check his neck out
 23 and give a prescription and told us to follow

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1 up to a doctor and take him to a doctor. We
 2 took him two days later.
 3 Q. What did they tell you, if anything, was wrong
 4 with Candy Man?
 5 A. His neck was bruised.
 6 Q. Anything else?
 7 A. We should follow up with his doctor.
 8 Q. What doctor did you take him to?
 9 A. Dr. Garth.
 10 Q. How do you spell his name?
 11 A. I don't know how to spell his name.
 12 Q. Pronounce it again for me.
 13 A. Dr. Garland (phonetic).
 14 Q. Garland?
 15 A. Garland.
 16 Q. Where is his office?
 17 A. Fort Deposit.
 18 Q. When did you take him to see him?
 19 A. A couple of days later. He only come on
 20 Tuesday.
 21 MR. LEWIS: Let me see if I
 22 understand it. Is it Gaugin,
 23 G-A-U-G-I-N, in Montgomery?

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1 MRS. SEARIGHT: Golden.
 2 THE WITNESS: Dr. Golden.
 3 MRS. SEARIGHT: Golden.
 4 MR. LEWIS: I just wanted to
 5 straighten that out.
 6 COURT REPORTER: Say that again.
 7 Gogan?
 8 MR. DUKES: Golden, G-O-L-D-E-N; is
 9 that correct?
 10 MRS. SEARIGHT: It's G-O-L-O-M-B.
 11 MR. LEWIS: Oh, Phillip Golomb.
 12 Q. The day all this happened on, was it a Sunday?
 13 A. I don't know, but it was during the summer.
 14 Q. If the incident report said that it happened
 15 on May 15 of 2005, would you have any reason
 16 to dispute that?
 17 A. No, sir.
 18 Q. Do you recall about what time in the evening
 19 it happened?
 20 A. It was between seven and seven-thirty.
 21 Q. Getting back to what we were talking about,
 22 you said you took Candy Man to Dr. Golomb on
 23 Tuesday, two days after this; is that correct?

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1 A. Yes, sir.
 2 Q. What kind of examination or test did
 3 Dr. Golomb do?
 4 A. He examined his neck and got -- took him to
 5 the lab and took a X-ray of his neck and give
 6 some medication.
 7 Q. What kind of medication did he give?
 8 A. He give something for the swelling and
 9 something for pain.
 10 Q. Do you remember what the medication was?
 11 A. No, sir. I can't recall that.
 12 Q. Where did you take the prescriptions to get
 13 them filled?
 14 A. At Fort Deposit.
 15 Q. Where in Fort Deposit?
 16 A. Drugstore.
 17 Q. What's the name of the drugstore in Fort
 18 Deposit?
 19 A. I don't know, sir.
 20 Q. What did Dr. Golomb tell you was wrong with
 21 Candy Man, if anything?
 22 A. His neck had been bruised and he had pain.
 23 Watch him -- Watch the swelling and everything

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<p>1 and bring him back the next Tuesday.</p> <p>2 Q. Did you bring him back the following Tuesday?</p> <p>3 A. Yes, sir.</p> <p>4 Q. How many times did you take him to Dr. Golomb?</p> <p>5 A. To my recommend [sic], three to four times.</p> <p>6 We made an appointment and I took him back.</p> <p>7 Q. Pardon me?</p> <p>8 A. We give him an appointment every time I took</p> <p>9 him to bring him back.</p> <p>10 Q. Did you take him to any doctors other than</p> <p>11 Dr. Golomb?</p> <p>12 A. No, sir.</p> <p>13 Q. Did Dr. Golomb put any restrictions on what he</p> <p>14 could do after he saw him the first time?</p> <p>15 A. Explain that question again because I don't</p> <p>16 understand what you're saying.</p> <p>17 Q. Did Dr. Golomb say Candy Man shouldn't do</p> <p>18 anything like play football or basketball or</p> <p>19 baseball or anything like that after he went</p> <p>20 to see him?</p> <p>21 A. No, sir.</p> <p>22 Q. Did Candy Man go back to doing pretty much</p> <p>23 what he had been doing before, after he went</p>	<p>1 anything they paid for Candy Man's medical</p> <p>2 treatment?</p> <p>3 A. No, sir.</p> <p>4 Q. What grade in school is Candy Man?</p> <p>5 A. He was in the sixth then.</p> <p>6 Q. Is he in the seventh now?</p> <p>7 A. Yes, sir.</p> <p>8 Q. How many grades has he had to repeat?</p> <p>9 A. Two.</p> <p>10 Q. What grades were those?</p> <p>11 A. First and second, I think.</p> <p>12 Q. Why did he have to repeat those grades?</p> <p>13 A. He a slow learner just like me.</p> <p>14 Q. Has Candy Man had any behavioral problems at</p> <p>15 school?</p> <p>16 A. Yes, sir.</p> <p>17 Q. How many times has he been expelled or</p> <p>18 suspended from school?</p> <p>19 A. Maybe six or seven times.</p> <p>20 Q. Any of those for fighting?</p> <p>21 A. Mostly talking in class, and they give him a</p> <p>22 day or two.</p> <p>23 Q. Has he ever been expelled for fighting?</p>
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<p>1 to see Dr. Golomb?</p> <p>2 A. No, sir. Because he -- No, sir.</p> <p>3 Q. What was different?</p> <p>4 A. Dr. Golomb told him we couldn't let him go</p> <p>5 back to school in two weeks. Kept him out of</p> <p>6 school for two weeks because his neck stay</p> <p>7 hurting.</p> <p>8 Q. Dr. Golomb said he couldn't go back to school</p> <p>9 for two weeks?</p> <p>10 A. Yes, sir.</p> <p>11 Q. It wasn't because he had been suspended or</p> <p>12 expelled, was it?</p> <p>13 A. No, sir.</p> <p>14 Q. Do you know how much his medical bills were</p> <p>15 for the emergency room at Stabler Hspital?</p> <p>16 A. No, sir.</p> <p>17 Q. Do you know how much his bills were for</p> <p>18 Dr. Golomb?</p> <p>19 A. No, sir.</p> <p>20 Q. Who paid for his medical treatment at the</p> <p>21 hospital and by Dr. Golomb?</p> <p>22 A. We had Medicare insurance.</p> <p>23 Q. Has Medicare made a claim to be repaid for</p>	<p>1 A. He have been sent home a day because the other</p> <p>2 boy was fighting and he give both of them a</p> <p>3 day.</p> <p>4 Q. How many times has he been sent home for</p> <p>5 fighting?</p> <p>6 A. I can't recall that because -- I really</p> <p>7 wouldn't know because I don't be at home.</p> <p>8 Usually they'll give him a day -- expel him</p> <p>9 for a day. Sometime he don't be fighting.</p> <p>10 Just like he talk in class.</p> <p>11 Q. Do they send a note home with him or do they</p> <p>12 call you to come up to the school when he's</p> <p>13 expelled or suspended?</p> <p>14 A. He call his mama to come.</p> <p>15 Q. You didn't go; she went?</p> <p>16 A. I only went maybe one or two times.</p> <p>17 Q. So as we're sitting here today, you don't</p> <p>18 really know how many times he's been expelled</p> <p>19 or suspended for fighting at school?</p> <p>20 A. No, sir, I don't.</p> <p>21 Q. You heard Officer Campbell talk about all</p> <p>22 these times that he's had trouble or other</p> <p>23 people have had trouble with Candy Man. Do</p>

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1 you have any reason to dispute what he says
 2 about all those incidents?
 3 A. Yes, sir, because I ain't never heard nobody
 4 say nothing like that about Candy Man.
 5 Q. You've never heard of him being in trouble for
 6 any of those things?
 7 A. No, sir.
 8 Q. Are you aware of the time his mama whipped him
 9 and his sisters for turning off the lights
 10 there in the project?
 11 A. I wasn't around.
 12 Q. Where were you?
 13 A. I can't recall where I was at that time.
 14 Q. What kind of medication is Candy Man on now?
 15 A. I don't know, sir.
 16 Q. Do you know what they are for?
 17 A. My wife know that because she give it to him,
 18 and then Lakesha give it to him. I wouldn't
 19 know.
 20 Q. Did you ever ask?
 21 A. No, sir, I didn't.
 22 Q. Mr. Searight, had you had anything to drink on
 23 the day of this incident?

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1 A. No, sir.
 2 Q. You didn't have any beer or anything to drink
 3 that day?
 4 A. No, sir.
 5 Q. Were you on any type of medication that day?
 6 A. No, sir.
 7 Q. Were you on any type of drugs that day?
 8 A. No, sir.
 9 Q. Are you on any type of medication today?
 10 A. No, sir.
 11 Q. Is there anything today or any reason or any
 12 health problems or anything else that would
 13 interfere with your ability to hear and
 14 understand the questions I've been asking you?
 15 A. No, sir.
 16 Q. Is there any reason that you would have
 17 trouble today remembering information and
 18 answering my questions?
 19 A. No, sir.
 20 Q. Has Candy Man had any type of mental problems
 21 since this incident?
 22 A. He been having nightmares, and he's scared of
 23 policemen and stuff like that. When he see

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1 them now, he don't want to be -- he get out
 2 their way and he don't be around them. He
 3 afraid of them now.
 4 Q. What kind of nightmares has he had?
 5 A. I couldn't tell you, sir, but I know he dream
 6 and wake up and sweating and be hollering in
 7 his sleep.
 8 Q. How often does he have these nightmares?
 9 A. During that term he had them every other
 10 night.
 11 Q. You said that term. What do you mean?
 12 A. During the term -- the term the officer choked
 13 him. After he got back from the hospital from
 14 that, he been having them every night from
 15 then.
 16 Q. How often does he have them now?
 17 A. Maybe -- I couldn't say that because during
 18 that term, I was watching him real close. I
 19 can't recollect now.
 20 Q. I'm sorry. Did you say you were or were not
 21 watching him close?
 22 A. I said I'm not watching him as close as I was
 23 then. I couldn't tell you how many nightmares

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1 he have now.
 2 Q. Does he have his own bedroom at y'all's house?
 3 A. Yes, sir.
 4 Q. Has he been to any doctor, Dr. Golomb or any
 5 of the other doctors, to see about any
 6 problems -- any mental, nervous or emotional
 7 problems?
 8 A. He been -- The teacher sent him to the
 9 hospital in Dorothy (phonetic).
 10 Q. Sent him to where?
 11 A. Dorothy.
 12 Q. Hospital in Dorothy?
 13 MR. LEWIS: Dothan.
 14 A. Dothan.
 15 Q. What hospital did he go to in Dothan?
 16 A. It's a -- it's a -- I can't call the name of
 17 it, sir.
 18 Q. What did he go to the hospital in Dothan for?
 19 A. They wanted to change the medication that he
 20 was -- that the peoples up here was giving
 21 him. They took him up there and monitor him.
 22 Q. Did any doctor recommend that he go to the
 23 hospital in Dothan?

11 (Pages 41 to 44)

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1 A. No. The mental health doctor did.
 2 Q. What mental health doctor?
 3 A. Ms. Hand.
 4 Q. What mental health?
 5 A. Hayneville here.
 6 Q. What was he going to mental health in
 7 Hayneville for?
 8 A. When you're a slow learner, they come by and
 9 see all the kids like that.
 10 Q. Now, he had been going to mental health then
 11 in Hayneville for being a slow learner before
 12 this incident ever happened, right?
 13 A. Yes, sir, he had been going there.
 14 Q. So other than the nightmares you said he was
 15 having and not wanting to be around police
 16 after this, was there any other change in his
 17 behavior?
 18 A. His neck hurt him sometime.
 19 Q. Does his neck still hurt him now?
 20 A. He said off and on. Get stiff sometime.
 21 Q. Do you know what causes it to be stiff now?
 22 A. No, sir.
 23 Q. When did you decide to file a lawsuit?

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1 A. After I came up there, I wanted my other
 2 daughter -- The way I understand it,
 3 (unintelligible) ask for help because he had
 4 hurt one of my other daughters.
 5 Q. Who hurt one of your other daughters?
 6 A. Curt Campbell.
 7 Q. When did he hurt your other daughter?
 8 A. Maybe a year before that time.
 9 Q. Which daughter was that?
 10 A. We call her Baby Ruth.
 11 THE WITNESS: What her real name,
 12 Lisa?
 13 A. Linda Thigpen.
 14 MRS. SEARIGHT: Rolanda Wilson.
 15 Q. She's your daughter?
 16 A. Yes, sir.
 17 Q. How many daughters do you have?
 18 A. I don't have but two now. She died from a car
 19 wreck.
 20 Q. Linda Wilson died?
 21 A. Yeah.
 22 MRS. SEARIGHT: Rolanda.
 23 A. Yolonda.

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1 Q. Rolanda?
 2 MRS. SEARIGHT: Yes.
 3 A. Yes. He picked her up -- I was coming up. He
 4 was trying to stop a fight, and he picked her
 5 up and body slammed her. And I didn't have
 6 custody over her, and I told her mama about it
 7 and she didn't do nothing about it.
 8 Q. She was in a fight?
 9 A. With another little girl.
 10 Q. And breaking it up, he slammed her to the
 11 ground?
 12 A. He slammed her to the ground, and he hurt her.
 13 Q. Who is Rolanda Wilson's mother?
 14 A. Tracey Wilson.
 15 Q. When did this happen with Curt Campbell and
 16 Rolanda?
 17 A. Been a couple of years ago.
 18 Q. Did you ever make a complaint with the chief
 19 of police?
 20 A. No, sir.
 21 Q. Did you make a complaint to the mayor?
 22 A. No, sir.
 23 Q. Did you ever go before the Fort Deposit city

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1 council and make a complaint about this?
 2 A. No, sir. Her mother didn't do nothing about
 3 it so -- I didn't have no right because I
 4 didn't have custody over her.
 5 Q. Did you go to -- This incident involving Candy
 6 Man, after it, did you go to the chief of
 7 police and make a complaint?
 8 A. No, sir. I went to the clerk office, and the
 9 clerk office sent me to the DA office. The DA
 10 office sent me to the mayor, and the mayor
 11 sent me to the chief. And the chief, I give
 12 him the complaint.
 13 Q. What kind of complaint did you make?
 14 A. He told me to tell Candy Man to write down
 15 everything what happened and give it to him,
 16 and that's what we did.
 17 Q. What happened?
 18 A. They didn't do nothing about it.
 19 Q. When did you give this to the chief of police?
 20 A. Probably about two weeks later.
 21 Q. Do you have a copy of what you gave him?
 22 THE WITNESS: Do we have a copy of
 23 that?

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1 MR. LEWIS: He's asking you
2 questions.
3 A. No, sir. I don't have a copy of it now.
4 Q. Who would have a copy of it?
5 A. Our lawyer would have. And the chief of
6 police.
7 Q. What did the chief of police tell you after
8 this?
9 A. Nobody ever came and told me nothing else.
10 Q. Did you ever follow up with them about it?
11 A. I went down there five or six times, because
12 the first time that she told me -- said, well,
13 we will have something like -- something
14 (unintelligible) and let him know where he was
15 wrong and everything like that. But didn't
16 nobody -- after that, she retired and ain't
17 nobody said nothing else to me.
18 Q. Did you go to the mayor about it?
19 A. I went to the mayor the first one.
20 Q. And what did the mayor do?
21 A. He sent me to the chief.
22 Q. Did you ever follow up with the mayor and say
23 nothing is being done?

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1 A. I went to the mayor two times.
2 Q. Uh-huh (positive response).
3 A. And the mayor told me the chief hadn't give
4 him the paperwork back yet. So ain't nobody
5 else said nothing else to me no more.
6 Q. Do you know if they investigated it and found
7 that there had been no wrongdoing?
8 A. They haven't investigate nothing, because
9 usually when they do, they be calling in the
10 parents and the officer, but they hadn't did
11 that.
12 Q. When did you decide to file a lawsuit?
13 A. It was -- Like I said, I was giving the mayor
14 time. It was a few weeks later. And I
15 decided if he wasn't going to do nothing about
16 it and my son should have been -- might have
17 been killed or something from him, I'm going
18 to file a lawsuit. That's when I decided.
19 Q. Who decided?
20 A. I did.
21 Q. Did your wife -- Was your wife part of that
22 decision-making process?
23 A. I took it to her, and whatever I say -- I'm

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1 the man of my house, and that's what she go
2 by.
3 Q. So she does whatever you say because you're
4 the man of the house?
5 A. No. She do what's right.
6 Q. So it was your decision to file this lawsuit
7 and not hers?
8 A. Yes, sir.
9 Q. How much money are you asking for in this
10 lawsuit?
11 A. I'm not asking -- This my lawyer and my son
12 case. They do that right there. Whatever
13 goes on, it's all right with me.
14 MR. LEWIS: Let the record reflect
15 Mr. Searight did not draft the
16 complaint, that I did.
17 Q. Did you discuss with the lawyer how much money
18 you were going to ask for?
19 A. No, sir. We never had no discussion about
20 that.
21 Q. Do you know how much money you're asking for
22 in this complaint?
23 A. Well, my lawyer-- my son --

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1 Q. Do you know how much money this lawsuit is
2 asking for?
3 A. I told you I don't have much to say about --
4 Q. How much money do you expect to get out of
5 this lawsuit?
6 MR. LEWIS: Object to the form.
7 A. I don't know nothing about nothing like that.
8 Q. What have you done with Candy Man these other
9 episodes where he's gotten in trouble for?
10 A. To my best recollection, he ain't never got in
11 no trouble.
12 Q. As we're sitting here today, it's your
13 understanding that this incident involving
14 shooting the birds is the first time he's ever
15 had any trouble with any of the police in Fort
16 Deposit?
17 MR. LEWIS: Object to the form.
18 A. No, sir.
19 Q. So then you're aware that he's had other
20 incidents dealing with the police in Fort
21 Deposit before this one?
22 A. No, sir.
23 Q. Well, I'm confused now, Mr. Searight. Do you

13 (Pages 49 to 52)

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<p>1 know that he's had run-ins with the police in</p> <p>2 Fort Deposit before this incident or do you</p> <p>3 not know of any?</p> <p>4 A. No, sir, he haven't, not to my knowledge.</p> <p>5 MR. DUKES: Thank you very much,</p> <p>6 Mr. Searight.</p> <p>7 (Deposition concluded at</p> <p>8 approximately 4:00 p.m.)</p> <p>9</p> <p>10 *****</p> <p>11 FURTHER DEPONENT SAITH NOT</p> <p>12 *****</p> <p>13 REPORTER'S CERTIFICATE</p> <p>14 STATE OF ALABAMA:</p> <p>15 MONTGOMERY COUNTY:</p> <p>16 I, Pamela A. Wilbanks, Registered</p> <p>17 Professional Reporter and Commissioner for the State</p> <p>18 of Alabama at Large, do hereby certify that I</p> <p>19 reported the deposition of:</p> <p>20 JOHN A. SEARIGHT, SR.</p> <p>21 who was first duly sworn by me to speak the truth,</p> <p>22 the whole truth and nothing but the truth, in the</p> <p>23 matter of:</p>	<p>1</p> <p>2</p> <p>3</p> <p>4</p> <p>5</p> <p>6</p> <p>7</p> <p>8</p> <p>9</p> <p>10</p> <p>11</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>Pamela A. Wilbanks, Registered Professional Reporter and Commissioner for the State of Alabama at Large.</p>
<p>1 J.S.,(a minor child by</p> <p>2 and through his father and</p> <p>3 next friend, JOHN SEAWRIGHT),</p> <p>4 Plaintiff,</p> <p>5 Vs.</p> <p>6 OFFICER CURT CAMPBELL, in</p> <p>7 his individual capacity,</p> <p>8 Defendant.</p> <p>9 In The U.S. District Court</p> <p>10 For the Middle District of Alabama</p> <p>11 Northern Division</p> <p>12 02:05-CV-928-WKW</p> <p>13 on Friday, March 3, 2006.</p> <p>14 The foregoing 53 computer printed pages</p> <p>15 contain a true and correct transcript of the</p> <p>16 examination of said witness by counsel for the</p> <p>17 parties set out herein. The reading and signing of</p> <p>18 same is hereby waived.</p> <p>19 I further certify that I am neither of kin</p> <p>20 nor of counsel to the parties to said cause nor in</p> <p>21 any manner interested in the results thereof.</p> <p>22 This 9th day of March, 2006.</p> <p>23</p>	